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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 RODERICK R. DAVIDSON,
10 Petitioner,
11 vs.
12 DWIGHT NEVEN, et al.,
13 Respondents.

Case No. 2:14-cv-00551-APG-NJK
ORDER

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15 The court found that ground six of the first amended petition (ECF No. 9) was not
16 exhausted. Order (ECF No. 34). Petitioner has filed a motion for partial dismissal of ground six in
17 the amended petition (ECF No. 35). Respondents have not opposed the motion. Good cause
18 appearing;

19 IT IS THEREFORE ORDERED that petitioner's motion for partial dismissal of ground six
20 in the amended petition (ECF No. 35) is **GRANTED**. Ground six of the first amended petition
21 (ECF No. 9) is **DISMISSED** from this action.

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1 IT IS FURTHER ORDERED that respondents shall have forty-five (45) days from the date
2 of entry of this order to file and serve an answer, which shall comply with Rule 5 of the Rules
3 Governing Section 2254 Cases in the United States District Courts. Petitioner shall have forty-five
4 (45) days from the date on which the answer is served to file a reply.

5 DATED: October 6, 2016.

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8 ANDREW P. GORDON
9 United States District Judge
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